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FILED

MAY 24 2005

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BOARD OF PHARMACY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	
SCOTT STANISLAW	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On July 23, 2003 respondent was convicted of the crimes of Conspiracy to Commit Wire and Mail fraud, Wire fraud, and four counts of Mail fraud, in the United States District Court, Southern District of Florida. Specifically, respondent devised a

scheme to defraud and to obtain money and property from florists and growers by the knowing use of materially false and fraudulent misrepresentations. (See Judgment in a Criminal Case attached hereto.)

3. The following sentence was ordered; incarceration for 18 months, thereafter, supervised release for three years, and restitution of \$578, 851.09. (See Judgment in a Criminal Case attached hereto.)

CONCLUSIONS OF LAW

1. The above-described conduct provides grounds for the suspension of respondent's license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the crime of which respondent was convicted is one of moral turpitude and/or relates adversely to the practice of pharmacy. §

Based on the foregoing findings and conclusions, a Provisional Order of Discipline revoking respondent's license to practice pharmacy in the State of New Jersey was entered on February 15, 2005 and a copy served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence

supporting respondent's request for consideration and reasons therefor.

On March 15, 2005 the respondent submitted many letters of recommendation including a letter from the Department of Justice commending his work during incarceration with his fellow prisoners in helping many attain the equivalent of a high school education through the GED credential. Further respondent pointed out in his papers that the State of Florida, where he currently practices and the state in which the criminal conduct occurred, after reviewing the matter, took no disciplinary action against his license. Moreover, respondent contacted this Board upon his plea in May of 2003 to self-report the conviction.

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was, however, persuaded that respondent was deserving of a suspension, given his unblemished record with this Board and that the crime was not related to the practice of pharmacy.

IT IS THEREFORE on this 16th day of May, 2005,

ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is suspended until January 9, 2008 the date on which respondent's criminal probation or supervised release will be terminated.

2. Prior to resuming active practice in New Jersey respondent shall be required to appear before the Board (or a committee thereof) to demonstrate his fitness to do so, and any practice in this State prior to said appearance shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF PHARMACY

By: Pamela Allen, RPh
Pamela Allen, R.P.
Board President